

OCCC CASE NO. L23-00034

IN THE MATTER OF:	§	BEFORE THE
	§	
MASTER FILE NO.: 1900065605	§	OFFICE OF CONSUMER
JLG MOTORS LLC	§	
5814 S. 23RD ST.	§	CREDIT COMMISSIONER
MCALLEN, TEXAS 78503	§	
	§	STATE OF TEXAS

**AGREED ORDER**

The Office of Consumer Credit Commissioner (“OCCC”) issues this Agreed Order against JLG Motors LLC (“JLG Motors”), based on the violations of law described below.<sup>1</sup>

**Statement of Facts and Law**

Under Chapter 348 of the Texas Finance Code, a person must hold a motor vehicle sales finance license issued by the OCCC in order to act as a holder of a motor vehicle retail installment contract.<sup>2</sup> A holder is a person who operates as a retail seller, or holds and collects on a contract in which the person agrees to accept the cash price of a motor vehicle in one or more deferred installments.<sup>3</sup>

JLG Motors is a motor vehicle dealer that previously held a motor vehicle sales finance license with the OCCC, under master file number 1900065605 and license number 163575. JLG Motors’ license expired on October 31, 2020, because JLG Motors did not renew the license by that date.<sup>4</sup> On March 18, 2022, JLG Motors submitted a new motor vehicle sales finance license application under master file number 1900065605 and application ID number 84543. JLG Motors’ compliance officer is Jorge Luis Garcia, and its designated contact address is 5814 S. 23rd St., McAllen, Texas 78503.

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<sup>1</sup> Tex. Fin. Code §§ 14.208, 14.251.

<sup>2</sup> Tex. Fin. Code § 348.501.

<sup>3</sup> Tex. Fin. Code § 348.001(3), (7), (8).

<sup>4</sup> Tex. Fin. Code §§ 348.5055, 348.507; 7 Tex. Admin. Code § 84.617.

Beginning February 14, 2022, JLG Motors engaged in activity requiring a license by entering four motor vehicle retail installment contracts. JLG Motors accepted the cash price of motor vehicles in one or more deferred installments without a motor vehicle sales finance license, in violation of Section 348.501 of the Texas Finance Code.

### **Order & Agreement**

By signing below, JLG Motors acknowledges these violations, waives all rights to any hearing or appeal, agrees to pay the administrative penalty and make the restitution identified below, and otherwise agrees to comply with this Order and Texas Law.

IT IS ORDERED that:

1. **No later than December 23, 2022**, JLG Motors must pay an administrative penalty in the amount of \$500.00 to the OCCC (calculated as \$500.00 for entering one to five transactions without a license).
2. **No later than December 23, 2022**, JLG Motors must identify all motor vehicle retail installment transactions that it entered without a license, and must refund to the retail buyer any finance charges that it collected or that remain collectible.
3. **No later than December 23, 2022**, JLG Motors must provide the OCCC with a spreadsheet of all transactions it identified and all buyers that it gave a refund. The spreadsheet must be sent by email to [matthew.nance@occc.texas.gov](mailto:matthew.nance@occc.texas.gov). The spreadsheet must include the following information for each transaction: buyer's name, account number, transaction date, amount financed, amount of finance charges, and refund amount.
4. JLG Motors must keep a copy of each customer's refund check or payment history showing an account credit until the later of its first examination or the required retention period.<sup>5</sup> During the first examination or an investigation of JLG Motors, the OCCC will confirm that all refunds listed in the spreadsheet have been made.

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<sup>5</sup> See 7 Tex. Admin. Code § 84.704(b), (g).

5. JLG Motors must comply with, and cease and desist from violating, the motor vehicle sales finance licensing requirement in Section 348.501 of the Texas Finance Code.

### **Violation of Order**

If JLG Motors violates this Order, this may result in one or more of the following actions by the OCCC: (1) an administrative penalty of up to \$1,000 for each day of violation of this Order, (2) an order to refund any finance charges contracted for, charged, or received at unlicensed locations, or (3) denial, suspension, or revocation of JLG Motors' motor vehicle sales finance license.<sup>6</sup> If JLG Motors conducted unlicensed activity other than the activity identified above, then the OCCC may impose additional administrative penalties based on the number of transactions, and may order JLG Motors to refund additional finance charges for unlicensed transactions.<sup>7</sup>

Signed this 12th day of December, 2022.

/s/ Leslie Pettijohn  
Leslie L. Pettijohn  
Consumer Credit Commissioner  
State of Texas

### **AGREED:**

/s/ Jorge Luis Garcia  
Jorge Luis Garcia  
Owner  
JLG Motors LLC  
(signed electronically with permission)

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<sup>6</sup> Tex. Fin. Code §§ 14.208, 14.251(b), 348.504, 348.508.

<sup>7</sup> Tex. Fin. Code §§ 14.208, 14.251.

**CERTIFICATE OF SERVICE**

I certify that on December 12, 2022, a true and correct copy of this Agreed Order has been sent to JLG Motors LLC by the following:

JLG Motors LLC  
Attn: Jorge Luis Garcia,  
Compliance Officer  
5814 S. 23rd St.  
McAllen, TX 78503  
jorge.garcia@brace.com  
jlgmotors.llc@gmail.com

- email
- eFileTexas.gov electronic service
- regular mail
- certified mail, return receipt requested

/s/ Matthew Nance \_\_\_\_\_  
Matthew J. Nance  
Deputy General Counsel  
Office of Consumer Credit Commissioner  
State Bar No. 24074794  
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512-936-7660 (phone)  
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